

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

\* \* \* \* \*

Leo E. Baerthel,

Plaintiff,

vs.

ORDER

Carolyn W. Colvin, Commissioner  
of the Social Security Administration,

Defendant.

Criv. No. 12-1761 (SRN/LIB)

\* \* \* \* \*

Based upon the Report and Recommendation of United States Magistrate Judge Leo I. Brisbois, and after an independent review of the files, records and proceedings in the above-entitled matter, it is --

ORDERED:

1. Defendant's Motion for Summary Judgment [Docket No. 9] is **GRANTED**; and
2. Plaintiff's Motion for Summary Judgment [Docket No. 6] is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

BY THE COURT:

DATED: August 19, 2013  
St. Paul, Minnesota

s/Susan Richard Nelson  
Judge Susan Richard Nelson  
United States District Judge